

# **Exhibit A**

## **September 2, 2022, Affidavit of Dean Fox in Support of Plaintiff's Motion for Preliminary Injunction**

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**IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

**DEAN FOX,**

*Plaintiff,*

*v.*

**REPRESENTATIVE  
JEREMY FAISON**, State  
Representative, representing  
the 11th District of the  
Tennessee House of  
Representatives, in his official  
capacity.

*Defendant.*

Case No.:

**AFFIDAVIT OF DEAN FOX IN SUPPORT OF PLAINTIFF'S MOTION FOR  
PRELIMINARY INJUNCTION**

Dean Fox, pursuant to 28 U.S.C. § 1746, hereby declares as follows in support of Plaintiff's Motion for Preliminary Injunction:

1. I am over 18 years of age, of sound mind, and otherwise competent to make this Declaration. The evidence set out in the foregoing Declaration is based on my personal knowledge.
2. I am an adjunct professor at Middle Tennessee State University, where I teach classes in graphic design, visual communications, and media writing. I am also a

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freelance sports journalist and my work has been published in the Daily News Journal (Murfreesboro) and the Atlanta-Journal Constitution, among other publications.

3. I am a current resident of Knox County, Tennessee. I moved to Knox County from Rutherford County on or around July 14, 2022. The events giving rise to this complaint and preliminary injunction occurred while I was located in Rutherford County, Tennessee.

4. I control and operate a personal Facebook profile. I use Facebook regularly to stay informed about legislative decisions in Tennessee and engage in policy discussions.

5. On September 6, 2021, the official Facebook page of State Representative Jeremy Faison (“Representative Faison”), which is entitled “State Representative Jeremy Faison,” shared a post commemorating Labor Day.

6. After another user commented on the post, Representative Faison responded to the comment, writing “I guess the idea of bettering yourself with a *[sic]* education or getting a better job is just out of the question for you?”

7. Representative Faison concluded the exchange by writing “very unAmerican *[sic]* of you. There is always a way if you are willing to work hard enough.”

8. After Representative Faison’s exchange with the other user, I also commented on the post. In my comment, I wrote that the Representative’s criticisms of the constituent’s work ethic were hypocritical because the Representative received \$25,000 in Paycheck Protection Program loans that were forgiven by the federal government. The comment did not include inaccurate information, any threatening or foul language, nor did it violate Facebook’s terms of use in any way.

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9. Thereafter, a Representative Faison page administrator deleted my comment regarding my view about Representative Faison's conduct.

10. I commented again and asked why my first comment was deleted. Immediately after, a Representative Faison page administrator deleted my second comment and blocked me from making future comments on his Facebook page's posts.

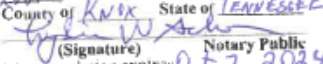
11. To this day, I am unable to view or interact with the contents of Representative Faison's official Facebook page. I cannot view his posted content, comment on posts, or view content other users have posted on the Representative's Facebook page from my account. Representative Faison's official page does not appear when I search his name on Facebook.

12. If I were not currently blocked, I would be continuing to view and comment on Representative Faison's official Facebook page. I feel it is important for me to be able to view Representative Faison's social media postings because his actions effect all Tennesseans, including mine and my family's.

I declare under penalty of perjury that the foregoing is true and correct. Executed on Sep. 2, 2022.

  
/s Dean Fox  
Dean Fox



Subscribed and sworn to before me in my Presence, this 2nd day of SEPTEMBER 2022, a Notary Public in and for the County of KNOX State of TENNESSEE  
  
(Signature) Notary Public  
My commission expires Oct 7, 2024